

Federal Communications Commission Washington, D.C. 20554

June 24, 2011

In Reply Refer To: 1800B3-ML NAL/Acct. No. MB-200741410125 FRN: 0006387625

New World Broadcasting Company, Inc. 803 Parent St. New Roads, LA 70760

In re: KCLF(AM), New Roads, Louisiana Facility ID No. 14897 File No. BR-20040308ABA

Notice of Apparent Liability

Dear Licensee:

We hereby cancel a proposed forfeiture in the amount of one thousand, five hundred dollars (\$1,500) to New World Broadcasting Company, Inc. ("Licensee"), licensee of radio station KCLF(AM), New Roads, Louisiana ("Station") and admonish Licensee for violating Section 73.3539 of the Commission's Rules ("Rules").

Background. On January 31, 2007, the Media Bureau ("Bureau") granted the Station's application for license renewal. On February 7, 2007, the Bureau issued a Notice of Apparent Liability for Forfeiture ("NAL") proposing a forfeiture in the amount of one thousand, five hundred dollars (\$1,500) to Licensee for its apparent willful violation of Section 73.3539 of the Rules for failing to timely file a license renewal application for the Station.² The Commission has no record of Licensee filing a response to the NAL.

Discussion. Under Section 503(b)(1)(B) of the Communications Act of 1934, as amended ("Act"), any person who the Commission's determines to have willfully or repeatedly failed to comply with any provision of the Act or any rule, regulation, or order issued by the Commission shall be liable to the United States for a forfeiture penalty.³ However, Section 503(b)(6)(A) of the Act provides that a forfeiture cannot be imposed on a person holding a broadcast license if the violation charged occurred: (i) more than 1 year prior to the date of issuance of the required notice or notice of apparent liability; or (ii) prior to the date of commencement of the current term of such license, whichever is earlier.⁴ Here, the current license term commenced on January 31, 2007, with the grant of the license renewal application; we issued the NAL on February 7, 2007, while the violations identified in the NAL apparently continued until March 8, 2004. Accordingly, we cancel the proposed forfeiture because it was imposed for

¹ 47 C.F.R. § 73.3539.

² New World Broadcasting Company, Inc, Memorandum Opinion and Order and Notice of Apparent Liability for Forfeiture, 22 FCC Rcd 2343, 2343 (MB 2007).

³ 47 U.S.C. § 503(b)(1)(B); see 47 C.F.R. 1.80(a)(1).

⁴ See 47 U.S.C. § 503(b)(6)(A), as implemented by 47 C.F.R. § 1.80(c)(1). See also Cumulus Licensing LLC KGEE(FM), Letter, 23 FCC Rcd 4471 (MB 2008) (declining, pursuant to Section 503(b)(6)(A) of the Act, to propose a forfeiture for willful and repeated Rule violations).

violations occurring prior to the commencement date of the current license term and more than one year prior to the issuance of the *NAL*.⁵

Conclusion. Accordingly, IT IS ORDERED, pursuant to Section 503(b)(6)(A) of the Communications Act of 1934, as amended, that the Notice of Apparent Liability to New World Broadcasting Company, Inc., issued on February 7, 2007, IS CANCELLED. New World Broadcasting Company, Inc., is instead hereby ADMONISHED for violating Section 73.3539 of the Commission's Rules.

FEDERAL COMMUNICATIONS COMMISSION

Peter H. Doyle

Chief, Audio Division

Media Bureau

⁵ See John Crigler, Esq., Letter, 26 FCC Rcd 1186 (MB 2011) (cancelling proposed forfeiture where licensee's renewal application was granted after violations occurred but prior to the issuance of an NAL and the violations occurred more than one year prior to issuance of the NAL).